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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

|                           |  |
|---------------------------|--|
| Proceeding                | 91179197   |
| Party                     | Defendant<br>BioWare Corp.   |
| Correspondence<br>Address | Paul N. Tauger<br>Bryan Cave LLP<br>120 Broadway, Suite 300<br>Santa Monica, CA 90401-2386<br>UNITED STATES<br>paul.tauger@bryancave.com |
| Submission                | Other Motions/Papers   |
| Filer's Name              | /s/ Paul N. Tauger   |
| Filer's e-mail            | alicia.moore@bryancave.com   |
| Signature                 | /s/ Paul N. Tauger   |
| Date                      | 10/23/2007   |
| Attachments               | BIOWARE - Joint Request to Continue.PDF ( 4 pages )(97599 bytes )  |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Before the Trademark Trial and Appeal Board**

IN RE: VUTEK, INC. v. BIOWARE CORP.

Trademark:     BIOWARE CORP.

Opposer:       VUTEk, Inc.

Applicant:     BioWare Corp..

Opposition No. 91179197  
Serial No. 76636906

United States Patent and Trademark Office  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

**JOINT REQUEST TO CONTINUE DATES FOR OPPOSER'S  
RESPONSE AND APPLICANT'S REPLY TO APPLICANT'S  
MOTION TO DISMISS**

On October 5, 2007, Applicant BioWare Corp. ("BioWare") filed and served its Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6). Opposer VUTEk's ("VUTEk") response thereto is therefore due on October 25, 2007. BioWare and VUTEk have since entered into substantive settlement discussions that, if successful, would resolve this proceeding and others pending before the Board and other agencies around the world. Accordingly, both have agreed and stipulated to extend the dates for VUTEk's response and BioWare's reply by two weeks. The parties appear to be close to reaching an agreement, and will use the additional time sought here to try to finalize an agreement and a process for its implementation. BioWare and VUTEk agree that this is good cause

to extend VUTEk's time to respond to BioWare's Motion to Dismiss, and therefore stipulate and respectfully request that the Board continue the dates for the response to November 8, 2007, with the reply thereto due fifteen days after service thereof.

Dated: October 23, 2007

Respectfully submitted,

**BRYAN CAVE LLP**

/s/ Paul N. Tauger  
**Paul N. Tauger** (Ca. Bar No. 160552)  
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BioWare Corporation

**VUTEK, INC.**

/s/ Alex K. Grab  
**Alex K. Grab**  
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Foster City, Ca. 94404  
Attorney for Trademark Opposer  
VUTEk, Inc.

**CERTIFICATE OF FILING**

The undersigned hereby certifies that the foregoing JOINT REQUEST TO CONTINUE DATES FOR OPPOSER'S RESPONSE AND APPLICANT'S REPLY TO APPLICANT'S MOTION TO DISMISS was electronically filed with the U.S. Patent & Trademark Office Trademark Trial and Appeal Board, on this 23rd day of October, 2007.

\_\_\_\_\_/s/Paul N. Tauger

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of JOINT REQUEST TO CONTINUE DATES FOR OPPOSER'S RESPONSE AND APPLICANT'S REPLY TO APPLICANT'S MOTION TO DISMISS was served upon the Opposer Vutek, Inc. by mailing the same by first class mail to Opposer's counsel, Alex K. Grab, 303 Velocity Way, Foster City, CA 94404, on the 23rd day of October, 2007.

/s/ Alicia Moore  
Alicia Moore